19 38

Department of Revenue

OFFICE Board of Revenue.

STATION Madras.

No. 3439

Dated

Pages in the file

(SUBJECT.)

Revenue Survey Kanara

Bangalore taluk - Bojan village - S.No. 77/2 & 6

Construction of a bund wall for the slipped portion of the [illegible] Road - Bhatkal Kanara

Sanction [illegible]

Ref. 3782-37-B3. South Kanara Collector's Office,

Mangalore, dated 26 - 1 - 1938.

From

M.R.Ry. Rao Bahadur M.V.Vellodi. Avl., B.A.,

Collector of South Kanara.

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.Nos. 77/2 & 6 - Construction of a toe wall for the slipped portion of the Ganjimutt-Malali Road - Proposals submitted.

Removed. (I) B.P.Routine No. 214 dated 18-1-1938.

I enclose applications (in duplicate) for the alienation of land and revenue in respect of S.Nos. 77/2 & 6 of Mogar village, Mangalore Taluk. The plots stand registered as Assessed Waste dry and measure 0.77 and 1.07 acres respectively. They are required by the South Kanara District Board for construction of a toe-wall for the slipped portion of the Ganjimutt-Malali road.

2. I enclose a copy of the resolution 62 dated 4-1-38 of the Standing Committee of the District Board, South Kanara accepting the conditions of alienation offered in my letter dated 4-12-1937 a copy of which is also enclosed. As the plots will be used for a road, no site value need be levied. The plots do not contain any tree growth or improvements. I enclose eyesketches in duplicate.

For Collector.

28-1-38

Enclosures: (1) Applications for alienation of land and land revenue.
(2) Copy of resolution 62 dated 4-1-38 of the Standing Committee of the District Board
(3) Copy of Collector's letter Ref. B3-3782-37 dated 4-12-37.
(4) Eye sketches in duplicate.

Application for the alienation of land in which the proprietary right belongs to the State.

District - South Kanara.

1. Description and area	..	S.Nos. 77/2 and 6 of Mogar village in Mangalore Taluk, measuring 0.77 and 1.07 acres respectively.
2. Value	..	Rs. 46-0-0 in aggregate.
3. Alienees and purpose of alienation.	..	District Board, South Kanara. For construction of a toe-wall for the slipped portion of the Ganjimutt-Malali Road.
4. Collector's remarks.	..	Recommended.

South Kanara Collector's office,
Mangalore, dated 26 - 1 - 1938.

For Collector.
28.1.38.

5

Application for the alienation of Land Revenue payable to Government.

District - South Kanara.

1. Description and area	...	S.Nos. 77/2 and 6 measuring 0.77 and 1.07 acres respectively in Mogar village, Mangalore Taluk.
2. (a) Annual assessment	...	(a) Rs. 1-6-0 in aggregate.
(b) Capitalised value (25 times assessment)	...	(b) Rs. 34-6-0 in aggregate.
3. Alienees and purpose of alienation.	...	District Board, South Kanara. For construction of a toe-wall for the slipped portion of the Ganjimutt-Malali Road.
4. Collector's remarks.	...	Recommended.

South Kanara Collector's office,
Mangalore, dated 26 - 1 - 1938.

For Collector 28.1.38

28.1.38.

Extract from the proceedings of the Standing Committee Meeting of the South Kanara District Board, dated 4.1.1938.

******

pp 5 to 9

62. Read Ref.B3-3782/37, dated 4.12.1937 of the Collector of South Kanara, requesting to send him a copy of the resolution of the Board agreeing to the conditions of alienation of the plot S.No.77/2 and 6 of Mogar village for the purpose of constructing a toe-wall for the slipped portion of Malali Road.

Resolution:- Board agrees.

Sd/- B. M. Hegde,
President, Dt.Board,
South Kanara.

(True Extract)

R.O.C.No.2308-A5/37.

Forwarded to the Collector of South Kanara, with reference to his Ref.B3-3782-37, dated 4.12.1937.

Station Mangalore,
Dated 11.1.1938.

Sd/- B. M. Hegde,
President, Dt.Board,
South Kanara.

(True Copy)

For Collector 28-1-38

28-1-38.

Letter-from the Collector of South Kanara, Mangalore.
To-the President, District Board, South Kanara, Mangalore
Dated-Mangalore, 4th December 1937.
No.-Ref.B3-3782/37.

******

Alienation - Land and Revenue - Mangalore Taluk - Mogaru village - S.Nos.77/2 & 6 - Construction of a Toe-wall for the slipped portion of the Maloli Road - South Kanara District Board - Conditions of alienation - Board's resolution agreeing to the conditions - Requested.

******

Your R.O.C.No.2308-37-15, dated 29.9.1937.

******

It is proposed to alienate S.Nos.77/2 & 6 of Mogaru village, Mangalore Taluk, measuring 0.77 and 1.07 acres, respectively in favour of the District Board, South Kanara, subject to the following conditions:-

(1) The lands shall be used for the purposes of the toe wall for the slipped portion of the Maloli road and for no other purposes.

(2) No buildings shall be erected on the lands without the previous permission of the Collector.

(3) The Government may resume the lands wholly or in part with any buildings thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the lands by the grantee. If there are buildings on the lands, the Government may direct the grantee to remove them.

(4) The Government may resume the lands wholly or in part with any buildings thereon, if in the opinion of the Government the lands are required for a public purpose or for conducting mining operations.

(5) In the event of resumption or acquisition of the plots for any reason, no compensation shall be payable for any buildings erected without permission.

(6) In the event of resumption under condition (4) if

there are buildings on the lands, the Government may at their option either.

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

(7) In the event of the resumption of the lands followed by the purchase of buildings under condition 6 or in the event of the acquisition of the lands for any reason the compensation payable for buildings or other improvement shall in no case exceed the initial cost or the value at th time of resumption or acquisition whichever may be less, of any buildings erected or other improvements effected on the lands by the grantee in accordance with the terms of the grant.

(8) In the event of the grantee refusing to remove the buildings when so directed under conditions (3) or (6) the Government may remove them and realize the cost of removal by the sale of the materials, and

(9) In the event of the voluntary relinquishment of the lands by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the lands by the grantee.

2. I request you to send me a resolution of your Boa agreeing to abide by the conditions.

(True Copy

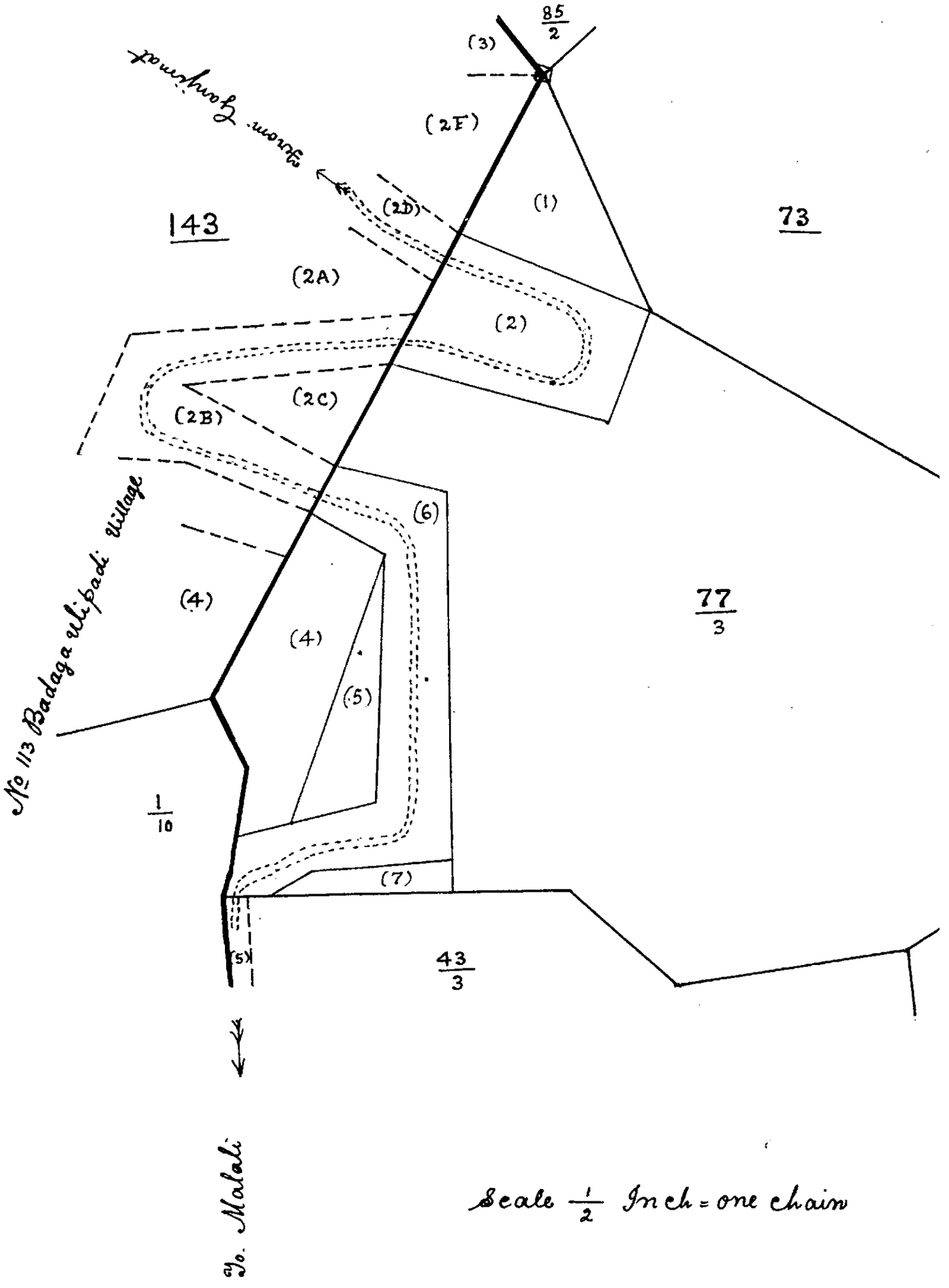
For Collector.

28.1.37.

District South Kanara

Taluk. Mangalore

Village



Scale $\frac{1}{2}$ Inch = one chain

No 114

Name. Mogar

ಯುಂಕರ್ನೆ

ಸರ್ವೆ ನಂಬರು ಹಿಸ್ಸ ನಂಬರು		ಖಾದಿ-ಯಿಷ್ಟಿಗಳು.	ವಿವರ.
Mogar Village.			
77	2 6		Lands in respect of which alienations have been made ಪುಳ್ಳವಿರಕೆ ಬಗ್ಗೆ ಮಡಿ ಬಿಟ್ಟಿರುವ ಜಮೀನುಗಳು ಮತ್ತು ಮಡಿ ಬಿಟ್ಟಿರುವ ಜಮೀನುಗಳಿಗೆ ಹಾಕಿರುವ ಬಗ್ಗೆ ಯಿಂಗಕ್ಕಿದ ಅನಾಧೀನ (ಉಳಿದ) ಪುಂಜೆಗಳು.
77	1 3 4 5 7		ಅನಾಧೀನಪುಂಜೆಗಳಾಗಳು. A. Waste.
43	3	Kadim ಖಾದಿಂ.	ಕೆ. ರಘುಚಂದ್ರ ಬಲ್ಲಾಳರು. K. Raghuchandra Balla
	5		ಪೊರಂಬೋಕು ರಸ್ತೆ. Poramboke-Road.
85	2		ಅನಾಧೀನಪುಂಜೆಗಳು. A. Waste.
73	.	Hos ಹೊಸಾಗಮಿ	ವಾಸುದೇವಶ್ಯಾಕರು ರಂಗಯ್ಯ ಶ್ಯಾಕರು. Vasudeva Shetkar Rangaya Shetkar
36 42	. -	Kadim ಖಾದಿಂ.	ಯಿಂಕರವಹ ಪಟ್ಟಾದಾರರ ಭಿನ್ನ. Other pattadars.
Badagaulipadi Village.			
1 143	10 4	Kadim ಖಾದಿಂ Hos ಹೊಸಾಗಮಿ	ಉಳಿಪಾಡಿಗುತ್ತು ತುಂಗಮ್ಮ. Thungamma of Ulipadi Guttu.
	2D 2B	—	ಪೊರಂಬೋಕು. ಪುಳ್ಳವಿರಕೆ. Porambokе-Malali Road
	2F 2A 2C 3	—	ಅನಾಧೀನಪುಂಜೆ. A. Waste.

ತಾ 23 ನೆ ನವಂಬರ್ 1937 ನೆಯಿಲ್

ಅಧಿಕಾರಿ ಸಹಾಯಕ ಕಮಿಷನರ್

A·S(L·R)

15 (Mrs. J. F. H.)

D/- E C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.	14 FEB 1938	

SUBJECT:— Alienation — hand Rlw — (S. Kanara) — Mangalore Tk — Mogaru Vge — Sy No. 77/2 & 6 — construction of a toe wall for the slipped portion of the Sanjivi Malali Road — Dt 19 Bd, S. Kanara

READ AGAIN ____, dated ____

" " ____ " ____ 19____

READ ALSO:—

No. B 257 From the Collr of S. Kanara, No. Rep 3782-37, dated 26-1-1938-R

" ____ " ____ " ____ " ____ 19____

" ____ " ____ " ____ " ____ 19____

Order / Resolution Rout. Ms. No. B 255/38-1 dated 10-2-1938

The Collr is requested to report whether the toe wall has already been constructed by the Dt Board if not, to obtain the consent of the Dt Board to the addl condition that the toe wall shall be constructed within one year from the date of the grant.

The
Dy
10/2

IR
5/2

10/2/38

To the Collr of S. Kanara

17

Ref.C.3782-37-B3.

South Kanara. Collector's Office,
Mangalore, dated 7 - 3 - 1938.

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue and Settlement,
M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.Nos. 77/2 and 6 -construction of a toe wall for the slipped portion of the Ganjimutt-Malali Road -further report - submitted.

Ref: Board's Ref.B.No. 759-38-1 dated 10-2-1938.

The toe wall has been constructed by the Dt.Board.

For Collector. 8.3.38

8.3.38.

[Mr. J. F. H.] 15

ALIENATION - Land & Revenue - ~~Buildings~~ -

(S. Kanara) - Mangalore Taluk - Mogar

Village/~~town~~ - S.No.s 77/2 & 77/6 -

construction of a toe wall for the slipped portion of Sanjimutt - Malali Road -

Dt Board, S. Kanara - Recommended

Recommended.

Sanctioned. B. 757 - From the Coll of S. Kanara.

Rep 3782-37-33 of 26-1-38-R

B. 2037. F - do - do - of 7.3.38-R

Rep B. 757-38-2 of 30-3.38

At the instance of the Collector of ~~the~~ South Kana ....

the Board ~~recommends~~ ~~sanctions~~ the alienation of the plot of land

comprised in S.No.s 77/2 & 77/6 of Mogar

village, Mangalore taluk measuring ~~Ac~~. 77 cents and 1.0,

respectively in favour of the Dt Board, S. Kanara for use as the

~~for use as the site of~~

site of a toe wall for the slipped portion of the Sanjimutt - Malali Road.

2. R.S.no.s 77/2 & 77/6 of Mogar village Mangalore taluk stand registered as assessed waste dry. There are no trees on them. The toe wall has already been constructed by the Dt Board

3. The alienation will be free of charge for the occupancy right and free of ~~ground rent~~ assessment but subject ~~to assessment which will be liable to revision and subject to the payment of Rs. being the value of the trees~~ standing on the land ~~and subject also~~ to the following conditions to which the alienee has agreed:-

(1) The land shall be used as the site of a toe wall for the slipped portion of the Ganjimutt-Malali Road and for no other purpose.

(2) ~~(2)~~ No ~~other~~ buildings shall be constructed on the land without the previous permission of the Collector of the district.

(3) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land ~~of~~ by the grantee. ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant).~~ If there are buildings on the land, the Government may direct the grantee to remove them.

(4) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. ~~(In the event of such resumption or~~ in the event of the acquisition of the land for any reasons, the compensation ~~payable~~ for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may ~~be less~~.

(5) In the event of resumption under condition (4) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings,
(b) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by the purchase of the buildings under condition (5) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grante at the time of alienation or their value at the time of resumption or acquisition, whichever may be less; together with)~~ the

initial cost or the value at the time of resumption or acquisition, which ever may be less) of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (2).

(7) In the event of the grantee refusing to remove the buildings when so directed under condition (3) or (5)(6) the Government may remove them and realise the cost of removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee ~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant.~~

(9) Full assessment shall be levied if at any time it is found that any net income is derived from the land.

IN 2973/Ag.338 — 29/3/38

To the Secretary to Government, Rev Dept
~~Revenue Department~~, with alienation statements
(~~pages to be copied & sent~~) & sketches
(~~pages in original~~).

(No 13-14 + 15 to 22 of Miscl.)

~~To the Collector of:~~

Revenue Department.

MEMORANDUM:- No. 3418 F/38-1, dated 11th April 1938.

Alienation - Land and Revenue - (South Kanara) - Mangalore talu Mogar village - S. Nos. 77/2 and 77/6 - Construction of a toe-wall for the slipped portion of Ganjimutt-Malali road - District Board, South Kanara - From the Board of Revenue, Ref. No. B. 759/38-2, dated 30th March 1938.

The attention of the Board of Revenue is invited to the concluding portion of paragraph 1 of G.O. No. 431, Revenue, dated 17th February 1938. The Board is requested to suggest a suitable condition reserving the right to Government to collect the value of the land in the event of the District Board deriving a substantial income from it and to obtain the consent of the District Board to the condition.

T.M.S. MANI,
Under Secretary to Govt.

To the Board of Revenue, L.R.S.

F o r w a r d e d.
(By Order)

Superintendent.

MVP

(Mr. V.T.H.)

29 7

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	29/4	
When copied ..		
When examined..		
When signed ..		
When despatched.	30 APR 1938	

SUBJECT:— Alienation - land & Rev - (S. Kanara) Mangalore Tk - Mogar vge - S.no. 77/2 & 77/6 - Construction of a to-e-wall for the stepped portion of Janjimutt - Malali road - Bd Board, S. Kanara.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ ALSO:—

No. B755 From the Collr of S. Kanara Agt No. 3782/37-33, dated 26-1-1938-R.

p1/c " B.3028 " Govt. R.D. Memo " 3418 E/38-1 11-4-1938-R.

" _____ " _____ " _____ " _____ 19____.

Order ~~Mrs.~~ / ~~Resolution Rout.~~ No. B251/38-3, dated 29-6-1938.

Copy to the Govt memo dt 15.6.38 desp. by 1/8

A-2 29.6.38 vvf 30/6

Copy of the Govt memo dt B 5054 dt 15.7.38 desp by 16/7

The Collr is requested to obtain the consent of the Bd Board to the additional condition that the "market value of the lands shall be collected from the grantee if at anytime it is found that the grantee derives a substantial income from them".

1/8
25/4
16/4

27/4/38

BG 42 9/37

REVENUE DEPARTMENT.

MEMORANDUM No. 3418 F/38-2, dated 22nd July 1938.

SUB:--Alienation--Land and Revenue--(South Kanara)--Mangalore Taluk--Mogar village--S.Nos.77/2 and 77/6--Construction of a toe-wall for the slipped portion of Ganjimutt--Malali road--District Board--South Kanara--

Government Memorandum No.3418 F/38-1, dated 11th April 1938.

With reference to paragraph 1 (ii) of G.O. No.1714 Revenue, dated 7th July 1938, condition (9) of the conditions of alienation proposed by the Board of Revenue in its Reference No.B 759/38-2, dated 30th March 1938 might be amended as follows:--

"Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement."

The Board is requested to obtain the consent of the District Board to the condition as amended above.

T.M.S. Mani,
Under Secretary to Government.

To

The Board of Revenue.

Forwarded
(BY ORDER)

Superintendent.

BGK.

33 (Mrs. F.W.S)

DRAFT FOR APPROVAL. 2-5-38 C.F. 16

	Date:	Initials.
When received for fair copying ..	3/8	D.
When copied ..	3/8	[illegible]
When examined..	4.8.	[illegible]
When signed	[illegible]	[illegible]
When despatched.	DESPATCH 5-AUG1938	[illegible]

SUBJECT:— Alienation - land Tolu - (S. Kanara) - Mangalore Taluq - Mogaru vge - S nos 77/2 & 77/6 construction of a bee-wall for the slipped portion of Sanjeevi Malali road - Dt Bd, S. Kanara

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ ~~ALSO~~:—

p2 of No. Bd's Ack From the B.755/38-3 of 27-4-38 No. _____, dated _____ 19____. Q

p3 of " B.5429 " Govt. Rd. Memo " 3418-F/38-2 of 29-7-38 - Q

" _____ " _____ " _____ " _____ 19____.

~~Order~~ Rep ~~Ms.~~ No. B.755/38-4 dated 3-8-1938.
~~Resolution Rout.~~

p2 of

Jr KA 8/8

In continuation of the Board's letter no. B.755-38-3 of 27-4-38 the Collr is requested obtain the Consent of the Board to the following addl condition:—

p3 of

"Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed the latter case, the land revenue shall be levied from the date of the infringement

To the Collr of S. Kanara

BR 8/8 8/8

- 1

35 (Mr F. W.S)

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	12/8	
When copied ..	13a	
When examined..	13.8	
When signed	13/8	
When despatched.	15 AUG 1938	

SUBJECT:— Alienation - hand rover - (S. Kanara) - Mangalore Taluq - Mogar vge - S.Nos 77/2 & 77/6 - Construction of a toe-wall for the affected portion of Sanjimatte Malali road - Dt Bd. S. Kanara.

READ AGAIN ____, dated ____ 19____.

" " ____ " ____ 19____.

READ ALSO:— No. Bd's orig B 755-38-4 & 3-8-38 From the ____ No. ____, dated ____ 19____.

" ____ " ____ " ____ " ____ 19____.

" ____ " ____ " ____ " ____ 19____.

Order ~~Ms.~~ Resolution ~~Rout.~~ No. B. 755/38-5, dated 12-8-1938.

In continuation of Board's Reference cited above the Collr is requested to obtain the consent of the Dt Board to the conditions relating to the preservation of the sandalwood trees on the lands.

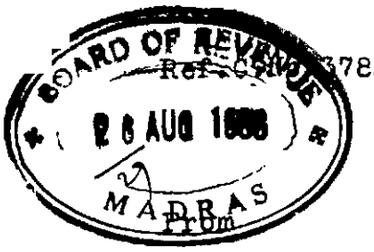
15
8/8
9/8

10/8/38

15
12/8

4389 Dt Bd. Reply to Board 27/8/38

To the Collr of S. Kanara



Ref. C3782/37-B3.

South Kanara Collector's Office
Mangalore, 22nd August 1938

E4445

From

Sri Rao Bahadur M. V. Vellodi, B.A.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.Nos.77/2 and 6 - Construction of a toe-wall for the slipped portion of the Ganjimutt - Molali road - Further report Submitted.

*****

Reference: Board's Ref.B.759-38-3, dated 27.4.1938, 3.8.1938 and 12.8.1938.

*****

I enclose herein a copy of resolution No.53, dated 16th July 1938 of the District Board, South Kanara agreeing to the additional conditions specified in the Board's above references dated 27.4.1938 and 12.8.1938. A copy of the conditions ---- agreed to by the District Board is also enclosed.

2. The President, District Board has been requested by me to communicate a copy of the resolution of the District Board agreeing to the additional conditions specified in the Board's Reference dated 3.8.1938. I shall submit a copy of it soon after it is received from the President, District Board.

For Collector.

Copy to the President, District Board who is requested to expedite his reply to this office letter, dated 12.8.1938.

Extract of conditions attached to this office letter, Ref.C.No.3782-37-B3, dated 22.6.1938 to the President, District Board, South Kanara.

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1. The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

2. The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

3. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

4. In the event of the infringement of, or failure to observe any of the conditions (1) to (3), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

(True Extract)

For Collector.

Extract from the Proceedings of the Meeting of the District Board of South Kanara, dated 16.7.1938.

p.39 ******

53. Read letter Ref.C.No.3782/37/B3, dated 3.5.1938 and 22.6.1938 of the Collector of South Kanara, requesting that a resolution of the Board agreeing to the additional conditions mentioned therein for the alienation of S.Nos. 77/2 and 6 of Mogar village, Mangalore Taluk, for the purpose of construction of a toe wall for the slipped portion of the Ganjimut Malali Road may be sent to him.

Resolution: Board agrees.

Sd/- K.Vittal Shetty,
President.

(True Copy)

For Collector.
24.8.38

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	8/9	
When copied ..	8/9	
When examined..	8/9/38	
When signed		
When despatched.	8 SEP 1938	

DESPATCH

SUBJECT:— Alienation. Land Rev. (South Kanara) Mangalore taluk. Mogar vge. S.No. 77/2 and 6 — Tol wall Dt Board.

READ AGAIN ____, dated ____ 19____.

" " ____ " ____ 19____.

READ *ALSO*:—

3 Ref No. S4445 From the Coll. of South Kanara No. 3782-37 B3 dated 22-8-38

" ____ " ____ " ____ " ____ 19____.

" ____ " ____ " ____ " ____ 19____.

Order Resolution Rout. No. Refee B/E. 759-38-6 dated 7.9.38 19____.

The condition imposed

P. 29 of in the Board's Refee dated 27.4.38 said

P 39 of to have been agreed to by the Dt. Board does not find a place in the extract

received with the Collector's letter read

above. The Collr. is requested to

Submit a copy of the resolution of the Dt.

Board agreeing to the condition.

2. The report promised in

para 2 of his letter is also awaited

8/9/38

8/9/38

7/9/38

To The Coll. of South Kanara.

(P 4993)

Ref.C.No. 3782-37-B3.

South Kanara Collector's Office,

Mangalore, dated 13 - 9 - 1938.

BOARD OF REVE
16 SEP 1938
240

From

Sri Rao Bahadur M.V.Vellodi, B.A.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.Nos. 77/2 and 6 - construction of a toe-wall for the slipped portion of the Ganjimutt-Kalali road -Further report submitted.

Ref: Board's Ref.B.759-38 dated 27-4-38, 3-8-38, 12-8-38 and 7-9-38.

2. This office letter dated 22-8-38.

The Dt. Board in its resolution No.53 dated 16-7-38 agrees to the additional conditions specified in my letters Ref.C.Nos. 3782-37-B3 dated 3-5-38 and 22-6-38 which are identical with those mentioned in the Board's above references dated 27-4-38 and 12-8-38. I again enclose a copy of the said resolution of the Dt. Board with copies of my letters to the President, Dt.Board dated 3-5-38 and 22-6-38

2. The President, Dt.Board intimates that the additional condition mentioned in the Board's reference dated 3-8-38 and communicated in my letter dated 12-8-38 will be placed before the Dt.Board at its meeting to be held this month. I shall enclose a copy of the resolution of the Dt.Board agreeing to this additional condition soon after it is received from the President, Dt. Board.

For Collector.

From the Collector of South Kanara.
To the President, District Board, South Kanara.
Mangalore, dated 3.5.1938.
Ref. C.3782-37-B3.

****

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.No.77/2 and 6 - construction of a toe wall for the slipped portion of the Ganjimutt Malali Road - District Board, South Kanara - further information - called for -

Ref:- Your A.O.C.2308-A5-37 dated 11.1.1938.

****

With regard to your request for the alienation of S.Nos. 77/2 and 6 of Mogar village, Mangalore Taluk for the construction of a toe-wall for the slipped portion of the Ganjimutt Malali ro please send me a copy of the resolution of the District Board on its reconstitution, agreeing to the further condition:-

"That the market value of the lands shall be collected from the grantee if at any time it is found that the grantee derives substantial income from them."

/True copy/

For Collector.

11.9.38

Letter-from the Collector of South Kanara.
To-the President, District Board, South Kanara.
Dated-22.6.1938.
No.-Ref.C.No.B3-3782-37.

******

Alienation - Land and Revenue - Mangalore Taluk - Mogar village - S.No.77/2 & 6 - South Kanara District Board - Road purposes.

******

Reference: Your letter, R.O.C.2308-A5-37, dated 11.1.193

******

With reference to your request for the alienation of S.Nos.77/2 & 6 of Mogar village, Mangalore Taluk for purpose of a road, please send me a copy of the resolution of the Board agreeing to abide by the further conditions mentioned in the appendix.

******

Appendix.

1. The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

2. The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

3. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

4. In the event of the infringement of, or failure to

observe any of the conditions (1) to (3), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

(True Copy)

For Collector.

14.9.38.

Extract from the Proceedings of the Meeting of the Dt. Board of South Kanara dated 16-7-38.

---

53. Read letter Ref.C.No. 3782-37-B3 dated 3-5-38 and 22-6-38 of the Collector of South Kanara requesting that a resolution of the Board agreeing to the additional conditions mentioned therein for the alienation of S.Nos. 77/2 and 6 of Mogar village, Mangalore Taluk for the purpose of construction of a toe wall for the slipped portion of the Ganjimutt Kolali Road may be sent to him.

Resolution: Board agrees.

Sd/- K. Vittal Shetty,
President.

True extract forwarded to the Collector of South Kanara with reference to his Ref.No. 3782-37-B3 dated 3-5-38 and 22-6-38.

Sd/- K. Vittal Shetty,
4.8.38
President, Dt.Board.

(True copy)

For Collector.
14.9.38

53

E6104

Ref. C.No.3782-37-38.

South Kanara Collector's Office,
Mangalore, 6th October 1938.

BOARD OF REVENUE
10 OCT 1938
MADRAS

From

Rao Bahadur M. V. Vilodi, B.A.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Madras.

Sir,

ALIENATION - Land and Revenue- Mangalore Taluk - Mogar village - S.Nos.77/2 and 6 - Construction of a toe wall for the slipped portion of the Ganjimutt-Paladi road - further report-submitted -

P 3304

Ref:- Board's Ref.B.759-38-4 dated 3.8.38 and 759-38-6 dated 22.8.38.

I enclose a copy of resolution No.141 dated 15.9.38 of the District Board, South Kanara, agreeing to the additional condition specified in the Board's above reference dated 3.8.38 and communicated in my letter dated 12.8.38. An extract of the condition agreed to is enclosed.

For Collector.

8.10.38.

Extract from the proceedings of the Meeting of the Standing Committee of the District Board of South Kanara dated 15-9-1938.

--

141. Read letter Ref. 3782/37/B3 dated 12.8.38 of the Collector of South Kanara, requesting to be furnished with a copy of the Board's Resolution agreeing to the further conditions sanctioned therein for the alienation of S.No.77/2 and 6 of Mogar village, Mangalore Taluk for the purpose of construction of a toe wall for the slipped portion of the Ganjimut Malali Road.

Resolution.

Board agrees.

Sd/- M. A. Punja,
Presiding Member.

Ref. 2308/37-A5.

True extract forwarded to the Collector of South Kanara, with reference to his letter Ref. 3782/37/B3 dated 12.8.38.

Mangalore, 22.9.38.

Sd/- xx xx xx
For President, Dt. Board.

/True copy/

For Collector.

8/10/38

Extract of the condition appended to Collector's letter Ref. 3782/37-B3 dated 12.8.38 to the President, District Board, South Kanara.

***

That full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement.

/True copy/ B Ramanaiah 8/10

for Collector.

BM 8.10.39.

DRAFT FOR APPROVAL.

	Date:	Initials.
When received for fair copying	15.10	
When copied	17/10/38	
When examined	18/10	
When signed	18/10	
When despatched.		

SUBJECT:—

Alienation - Land and Revenue - (South Kanara) Mangalore taluk - Mogar village - S.No. 77/2 and 6 construction of a Rr wall for the slipped portion of the Ganjimutt - Malali ~~road~~ road.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

p.27 ef No. B.3028 From the Govt Rev Memo. No. 3418 f38-1 D, dated 11.4.38 19____. Q

h31 ef " B.3429 " Do. Do. No. 3418 f38.2 D, " 22.7.38 19____. Q

p53 ef " F6104 " Collr. of South Kanara No. C-3782.3, " 83 D, dated 6.10.38 19____. Q

Order / Resolution — Ms. / Rout. No. Refer, dated B|E.759.38-7 D 14.10.38 19____.

The District Board South Kanara has agreed to abide by the following conditions:—

(1) The market value of the lands shall be collected from the grantee, if at any time it is found that the grantee derives a substantial income from them.

(2) Full ground rent shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of

v-le f427 f25 ef

f47 ef

f431 f33 ef

16/10 f57 ef

the in fringement

(3) [Conditions 3-6 - please type Rere the conditions at (0)]

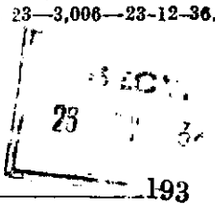
35 t
h/49 Sep

14-4038

(87153)

Rev. Sectt. 23—3,006—23-12-36.

GOVERNMENT OF MADRAS.



Received _____ 193 *Registered* _____ 193

Abstract.

4/28-11 Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Mogar village - S.Nos. 77/2 & 6 - Construction of a toe wall for the slipped portion of the Ganjimutt-Malali road - District Board, South Kanara - Sanctioned. Go. Comm

REVENUE DEPARTMENT.

G.O. No. Ms. 3002, **Dated the** 23rd November 1938.

READ the following :—

From the	Board of Revenue,	Reference No. B.759/38-2, dated 30-3-1938.
To the	-do-	Memorandum No.3418 F/38-1, dated 11-4-1938.
To the	-do-	-do- No.3418 F/38-2, dated 22-7-1938.
From the	-do-	Reference No. B/E.759/38-7, dated 14-10-1938.

ORDER—

The Government sanction the alienation of S.Nos. 77/2 and 77/6 measuring 77 cents and 1 acre 7 cents respectively in Mogar village, Mangalore Taluk, South Kanara District, in favour of the District Board, South Kanara, for use as the site of a toe wall for the slipped portion of the Ganjimutt-Malali road.

2. The alienation will be free of charge for the occupancy right and free of land revenue

revenue
/ but subject to the following conditions :—

(1) The land shall be used as the site of a toe wall for the slipped portion of the Ganjimutt-Malali road - - - - - -

and for no other purpose.

~~The buildings shall be constructed within~~ ~~from the date~~ ~~of the grant~~.

(2) No buildings shall be constructed on the land without the previous permission of the Collector of the District.

(3) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee (and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant). If there are buildings on the land the Government may direct the grantee to remove them.

(4) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. (In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition, which may be less).

(5) In the event of resumption under condition (4) if there are buildings on the land, the Government may, at their option, either—

(*a*) purchase the buildings, or

(*b*) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by the purchase of the buildings under condition (5)(a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed (the amount paid for them by the grantee or their value at the time of resumption or acquisition, which may be less, together with) the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (2).

(7) In the event of the grantee refusing to remove the buildings, when so directed under condition (3) or (5)(a) the Government may remove them and realize the cost of the removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee. (and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant).

(9) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(10) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement.

(11) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of aliena-

alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector.

(12) The grantee shall take all reasonable measures to the satisfaction of the Collector for the protection of the sandalwood trees from thef or damage and for the careful protection of the immature trees growin on the land.

(13) The grantee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

(14) In the event of the infringement of, or failure to observe any of the conditions (11) to(13) the grantee shall pay to the Government such compensation as is determined by the Collector for any loss or damage caused by such infringement or failure on its part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutel in the Government. In that case the grantee shall not be entitled to any compensation whatever.

(By Order of His Excellency the Governor)

B. G. Holdsworth,
Secretary to Government.

To the Board of Revenue.
" Local Administration Department.

(True Copy)
F o r w a r d e d.
(By Order)

Superintendent.

G.V.K.

[Subject is at p 61]

P. 5364 E. 6104-38 Q
H 61-6464 E 7153-38 A

My No. 3439 Dt 3-12-38

communicated to the conn. J.

S. Kanara

To the conn J. S. Kanara-

Note file

Alienation - land thru - (S. Kanara) - Mangalore Tk - Mojar vge - Sy No 77/2 & 77/6 - construction of a bye wall for the slipped portion of the Sanjimutte Malali Road - Dt Bd, S. Kanara.

p1 of — B. 755 - From the Coll of S. Kanara.

Rep B.3 - 3782-37 of 26.1.38

p15 of — Bd's Rep B. 755-38-1 of 10.2.38

p17 of — B. 2037 - From the Coll of S. Kanara

Rep 3782-37 - of 7-3-35

To Asst Secy.

Please see the Coll's letter at p1 of, the Bd's Rep at p15 of the Coll's reply thereto at p17 of.

p3 of — The extent of land is 0.1.8 acres which exceeds the limit of 10 acres up to which the Board is competent to sanction the alienation. The alienation of land & land revenue proposed are complete. Hence, I may be recommended to the

15
14/3
[illegible] 3.38

AL 17338

J.S(A) 18338

Concurred

21.3.38

A.S(KN)

To A.S(KN)

Draft ordered

AL
29338

15
25/3
[illegible] 25.3.38

Bd's Ref B-755-38-2 of 30.3.38 — pp 15-25 of

B.3028 - Govt. memo no 3418F/38-1911-4-38 — p 27 of

To Asst Secy

Please see the Govt. memo at p 27 of the Colls may be asked to obtain the consent of the Dt Board to the addl condition that "the market value of the lands shall be collected from the grantee if at any time it is found that the grantee derives a substantial income from them"

Draft submitted.

IGI
25/4

AL
27/4

MJ
26/4

A.S (HL)

Bd's Ref B.755-38-3 of 27-4-38 — p 29 of

B.5429 - Govt memo no 3418 F/38-2 of 22-7-38 — p 31 of

To Asst Secy

Please see the Govt memo at p 31 of the Colls may be asked to obtain the consent of the Dt Board to the amended condition mentioned therein.

Draft submitted

A.S(G)

p 33 cf DD's Memo B.755-38-4 of 3-8-38

To Asst secy

The Colr may be asked to obtain the consent of the Dt Board to the condition relating to the preservation of the sandalwood trees on the lands.

Draft submitted.

KN
8/8
9/8

AS
10.8.38

HS(G)

P.37 cf. E.4445. Collr. of South Kanara. 3782-37/33. 22.8.38

The extract of the conditions at 39 cf, does not contain the condition regd the collection of market value, imposed in the DD's Memo at P.29 cf, but the Collector para 1 of his letter reports that the Dt Board has agreed to the condition. The Collr may be asked to ~~obtain the consent of the Dt Board if he has not already consented to this condition and to~~ submit a copy of the resolution of the Dt. Board agreeing to this condition. / Draft submitted.

MM
23.8.38
VB
BR

AS
29.8

AS(LR)

E.6104.38. Collr. of South Kanara D) 6.10.38.

Draft Reference to the Govt. is submitted with reference to their Memo at pp. 27 and 31 cf.

14/10/38

14/10/38

AS(LR)

[E.7153/38 – R.O. No 3002 Rev D) 23.11.38] Ll 61-64 cf

Draft submitted at p. 64 cf

1.12.38

14/12/38

Single Member ✓

B.P. No. Rs 3439

Dated 3-12-38

~~Two Members~~

Full Board

Asst. Secretary.

A.D.S & L.R. ---------- L.R. Sett. Sep. Re ---------- J.S. Secy. M 1/3

I-A.

---

(1) Open file
seen by

(2) Finaldraft
seen by

(3) Now circulated
to

(4) Initials

Passed forrecord

~~Secretary~~
Joint Secretary.

A.S. (L.R.) ✓ 4/12

~~A.S. (Set.)~~

A.S. (Sep. Rev.)

~~A.D.S. & L.R.~~

~~I-A.~~

Note: ENTRIES NOT REQUIRED TO BE SCORED OUT.